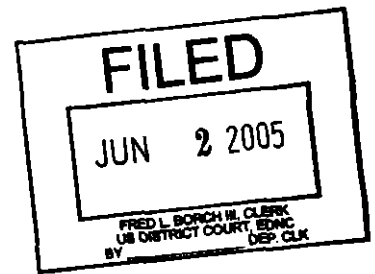


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UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. David Anthony Passaro**Docket No. 5:04-CR-211-1 BO**

Petition for Action on Conditions of Pretrial Release

COMES NOW Michael D. Shepard, U.S. Probation Officer of the Court, presenting an official report upon the conduct of defendant, David Anthony Passaro, who was placed under pretrial release supervision by the Honorable Terrence W. Boyle, U.S. District Judge, sitting in the Court at Raleigh, NC, on the 27th day of August, 2004, under the following conditions:

- Report to the probation office or supervising officer as directed.
- Maintain or actively seek employment.
- Surrender any passport to the United States Probation Office.
- Obtain no passport.
- Abide by the following restrictions on personal association, place of abode, or travel: within the Eastern District of North Carolina.
- Avoid all contact, with any persons who are potential government witness in the subject investigation or prosecution, including but not limited to: Tamara Passaro and Kerry Passaro except with Tamara during the visitation of Anthony Passaro and keep probation informed.
- Refrain from possessing a firearm, destructive device, or other dangerous weapons.
- Refrain from excessive use of alcohol.
- Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- Submit to any method of testing required by the supervising officer for determining whether the defendant is using a prohibited substance.
- Refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is required as a condition of release.

up. dist.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**


On June 1, 2005, the Harnett County Sheriff's Department charged the defendant with the following misdemeanor offenses:

- Assault on a Female - The defendant is alleged to have grabbed Bonnie Arnold Heart by the shoulder; pushed and grabbed her again, forcing her into a door and out the front door, leaving scratches and marks on her left knee.
- Injury to Personal Property - Damage to a Nextel cell phone belonging to Bonnie Arnold Heart; damage was under \$200.
- Larceny - Stole Bonnie Arnold Heart's gold, heart-shaped, ruby ring valued at \$50.


On June 2, 2005, the defendant went to New Hanover Regional Medical Center in Wilmington, North Carolina, searching for the victim.

PRAYING THAT THE COURT WILL ORDER that a warrant be issued for the defendant's arrest to determine whether his bond should be revoked.

Reviewed and approved,

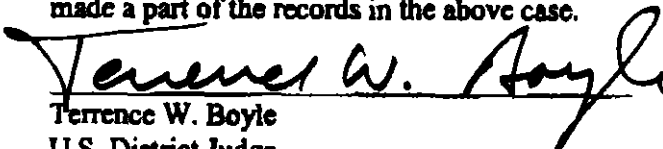

Jeffery L. Keller
Supervising U.S. Probation Officer

I declare under penalty of perjury that the
Foregoing is true and correct.


Michael D. Shepard
U.S. Probation Officer
310 New Bern Ave., Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8695
Executed on: June 2, 2005

ORDER OF COURT

Considered and ordered this 2 day of June, 2005, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge